

**Testimony of  
SPED\*NET, Special Education Network of New Canaan, Ltd.  
PO Box 1610  
New Canaan, CT 06840**

**To the Education Committee, Public Hearing  
March 8, 2010**

Please accept this written testimony for our support to H.B. No. 5425, Section 2, and our opposition to H.B. No. 5425, Section 3.

***AN ACT CONCERNING SPECIAL EDUCATION***

As the independent voice for students receiving special education services in New Canaan, CT for over 12 years, we are going on record to support Section 2, and oppose section 3 of raised House Bill No. 5425.

**Section 2: We support the requirement that anyone who was hired by our schools to provide applied behavior analysis services be a Board Certified Behavior Analyst (BCBA), a Board Certified Assistant Behavior Analyst working under the supervision of a BCBA or a state licensed health care professional whose scope of practice includes behavior analysis.**

Many of the students we represent are on the autism spectrum. They need trained staff to implement the principles of behavior analysis (the scientific study of behavior). Behavior Analysis emphasizes careful measurement of observed behavior, along with an appreciation of the role of environment just before and just after the response. Prediction and control of behavior is critical to understanding and educating our students with autism, and behavior analysis offers the tools to accomplish this. Please, give us trained school staff to work with our students with autism.

**Section 3: Connecticut must keep the burden of proof on the School District!**

Connecticut Attorney General Richard Blumenthal stated that CT must continue to keep the burden of proof on the school district. He said "We believe that our regulation embodies a valid state policy that articulates our belief that school boards are in a better position to muster the facts and expertise in any contest with ordinary parents." (Quoted in the New York Times on November 17, 2005). Honestly, it is already difficult, almost impossible, for our parents to bring the districts to Due Process when our children are not receiving appropriate programs. Shifting the Burden of Proof to the parents and away from the schools will pretty much destroy any opportunity for families to look to due process as a remedy.

Thank you in advance for considering our point of view.

Respectfully yours,

Judi Anders, President

Denise Buckenheimer, Vice President

Beth Lurie, Treasurer & former President

Board Members: Meghan Cioffi, Wendy Davis, Heather Devitt, Becky Duplock,  
Laurie Gupta, Victoria Muñoz, and Virginia Tierney.

Executive Director Anne Eason

*SPED\*NET, Special Education Network of New Canaan, Ltd. is organized exclusively to educate the public on special education and disability-related issues and empower parents, professionals, and students to become more effective advocates in their schools and communities, particularly in New Canaan, CT, and it's neighboring towns. SPED\*NET serves as a resource for disability-related information, and as a parent-to-parent support and advocacy network for families of children with individual education plans (IEP's) and Section 504 plans. For more information, check [www.spednet.org](http://www.spednet.org).*

